



ATTORNEY'S DOCKET NUMBER: 2003080-0143 (SK-744-CON9)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Danishefsky *et al.* Examiner: Solola, T. A.  
Serial No.: 10/726,386 Art Unit: 1626  
Filed: December 2, 2003  
For: SYNTHESIS OF EPOTHILONES, INTERMEDIATES THERETO,  
ANALOGUES AND USES THEREOF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

*Fee applied only*

**NOTICE OF APPEAL TO BOARD UNDER 37 C.F.R. § 41.31**

Applicant hereby appeals the rejection of pending claims 81-95 in the above-referenced application. These claims have been twice rejected as required by 37 C.F.R. § 41.31(a)(1). Previously the claims were rejected in U.S. Patent Application U.S.S.N. 09/874,514, filed June 5, 2001, and in U.S.S.N. 10/695,582, filed October 28, 2003. The current rejection of these claims in the above-referenced case was mailed August 30, 2005. A Credit Card Payment Form authorizing payment in the amount of \$250.00 to cover the fee as set forth in 37 C.F.R. § 41.20(b)(1) is enclosed.

Please charge any other fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

02/22/2006 WASFAW1 00000024 10726386

01 FC:2401

250.00 DP

Respectfully submitted,

C. Hunter Baker, M.D., Ph.D.

Registration No. 46,533

Choate, Hall & Stewart  
Patent Department  
Two International Place  
Boston, MA 02110  
t: (617) 248-5215  
f: (617) 248-4000  
chb@choate.com  
Dated: February 16, 2006  
4045380v1

Certificate of Mailing	
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
February 16, 2006	
Date	Signature
Heather A. Mariacher	
Typed or Printed Name of person signing certificate	

United States Patent and Trademark Office  
- Sales Receipt -

03/01/2006 TBARDEN 00000001 031721 10726386

01 FC:2253 510.00 DA